

## REMARKS

Claims 4-8 and 10-12 stand rejected under 35 U.S.C. §102(e) as being anticipated by US patent publication 2005/0060411 to Coulombe et al. Claim 9 stands rejected under 35 USC 103(a) as being unpatentable over US patent publication 2005/0060411 to Coulombe et al further in view of U.S. Patent No. 6,498,791 to Pickett et al.

### Applicant's Response to Rejections Under Section 102:

Applicant's claim 4 includes the following limitation: "including at least one communication **feature** in the second set of communication features which is **not supported** by the first SIP user agent." In paragraph 14 of the originally filed specification Applicant gives examples of the features under consideration, including call waiting, call hold, Music on Hold, and conference calling. Applicant further states that "to date, if there is a difference in the set of features available at one endpoint in a SIP network and the set of features available at the other endpoint in the network, the endpoints communicate using their lowest common feature set." When read in light of the specification, it can be seen that when Applicant speaks of a feature, Applicant is referring to the presence of the feature itself, and not characteristics of the feature. For example, when Applicant refers to the feature of Music on Hold, Applicant is referring to the presence of the Music on Hold feature, and not a characteristic, such as whether the Music on Hold uses "mp3" format, or "wav" format.

Coulombe states a *need* "to invoke data stream transcoding services that are performed by the intermediary by allowing **changes** to the media type, codec, and other parameters of the media session definitions." (Background, Para. 9). Coulombe *teaches* "a system and a method for enabling interoperability between terminals **having** different media types, codecs, or attributes which otherwise would not have the ability to communicate." (Summary, Para. 10).

Coulombe uses video as the example of the invention throughout the application:

- In accordance with one embodiment of the invention, a method for establishing a media session between terminals having incompatible media **characteristics** is provided. (Para. 11).

- For example, a transcoding intermediary may be provided by service capability servers 106 to support **transcoding** services between, for example, **H.263 [to] MPEG-4** video stream transcoding from one of mobile terminals 108 to mobile terminal 142. (Para. 33).
- FIG. 2 illustrates exemplary SIP network 200 according to the principles of the present invention that provides intermediary support for multimedia sessions between mobile terminals having **incompatible capabilities**. (Para. 35).
- S-CSCF #2 determines that there is an **incompatibility** between, for example, the video codec utilized by user agent A and the video codec utilized by user agent B. (Para. 68).

Thus, it can be seen that Coulombe uses the term “capability” where Applicant uses the term “feature.” Although Coulombe does not explicitly state so, Coulombe teaches making compatible two endpoints that have a feature/capability already available, when that feature/capability may have incompatible **characteristics**. Accordingly, both endpoints must have the feature/capability before Coulombe’s teaching applies.

Further examples clarify Coulombe’s invention:

- The [Capability and Preference Information] may include, for example: hardware **characteristics** such as screen size, color capabilities, image capabilities, manufacturer, etc.; software characteristics such as operating system vendor and version, list of audio, image and video Multi-purpose Internet Mail Extensions (MIME) media types, etc. (Para. 45).
- If, for example, the first end terminal requires video data conforming to the **H.263 standard**, while the second end terminal requires an **MPEG-4 video stream**, then an **adaptation server** must be invoked to perform the required **transcoding** functions necessary to allow the first and second end terminals to exchange video data. (Para. 46).

In addition, the examples given in FIGS 4 and 5 describe enabling video communication between endpoints. (Para. 56; Para. 63).

Thus, as Applicant understands, Coulombe teaches enabling communication between endpoints when both endpoints **have** a capability/feature, i.e. video, but the **characteristics** of that capability/feature are incompatible, such as the format of the video signal. i.e. one endpoint uses MPEG video format, while another endpoint requires data conforming to the H.263 standard, which is incompatible with the MPEG format. As far as Applicant can determine, Coulombe is silent regarding setting up a media session where, continuing to use video as the example, one endpoint has a video feature/capability, and another endpoint does not have that feature/capability.

In contrast, Applicant's claim 4 limitation defines the communication channel such that it includes "at least one communication **feature** in the second set of communication **features** which is not supported by the first SIP user agent." Had Applicant claimed at least one **characteristic of a feature** in the second set of communication features not supported by the first SIP user agent, Coulombe would be more relevant, but Applicant emphasizes a significant difference between a **feature**, as described in Applicant's originally filed specification, and a **characteristic of a feature** as taught by Columbe. Thus, Coulombe does not teach this limitation of Applicant's claim 4.

In claim 4 Applicant further claims a network entity "in a communication channel between a first SIP user agent and a second SIP user agent...acting as a client application for the first SIP user agent and as a server application for the second SIP user agent." Examiner points to paragraph 35 of Coulombe, where it states that "each user agent comprises a user agent client that **initiates** requests and a user agent server that **generates** the responses to the requests." In Coulombe, the network entities between the endpoints in the communication path are the CSCF proxies, and the Adaptation Server(s). The CSCF proxies modify the Session Description Protocol (SPD) descriptors.

The end result of the SDP definition modifications exemplified by FIG. 4 is that media session 330 of message flow 300 **includes the adaptation services offered by adaptation server 406**. In particular, video media transmitted by user agent A 402 to user agent B 410, first traverses adaptation server 406... Conversely, video media transmitted by user agent B 410 to user agent A 402 **must first traverse** port number 49262 at IP address 0.0.0.3 of adaptation server 406 in order for the YY->XX video adaptation to take place.

(Para. 61). In short, as Applicant understands, the CSCF proxies create a communication path between endpoints that will include the Adaptation Server to transcode the format of data as the data travels from one endpoint to another. The CSCF proxies perform this function once, to set up a single communication path. The CSCF proxies do not meet the definition of user agents in that they do not generate requests, nor do they respond to requests. The CSCF proxies simply determine where to redirect a communication path and then modify descriptors to effect that communication path. Similarly, Adaptation Servers simply transcode; they do not act “as a client application for the first SIP user agent and as a server application for the second SIP user agent.” Applicant respectfully requests the 35 USC 102 rejection of claim 4, and claims 5 and 6, which depend from and include all the limitations of claim 4, based on Coulombe, be withdrawn.

In claim 7 Applicant claims “a SIP Basic Call Enhancer located within the communication channel between the first and second SIP user agents that enables the second SIP user agent to utilize the enhanced SIP communication **feature** set which is **unavailable** to the first SIP user agent when communicating with the first SIP user agent.” As has been argued above, Coulombe does not teach this limitation of Applicant’s claim 7.

Further, in claim 7, Applicant claims in part “a first SIP user agent being a first end point and supporting a **basic** SIP communication feature set; a second SIP user agent being a second end point and supporting an **enhanced** SIP communication feature set.” As noted in the originally filed specification, “the first user agent 1, as a **basic** SIP client, **cannot handle multiple media streams** within a SIP session.” (Para. 29). Also, “the second user agent 2 can handle **multiple media streams within a SIP session** (i.e. “Reinvite”) because this user agent supports an **enhanced** feature set.”

Therefore, as disclosed in the originally filed specification, Applicant’s claim 7 first SIP user agent basic SIP communication feature set only includes a **single** media stream within an SIP session, and the second SIP user agent enhanced SIP communication feature set requires the ability to handle **multiple media streams** within an SIP session. Thus, the claimed network entity of parent claim 7, located in the communication channel between the first endpoint and the second endpoint, manages its claimed function using a single media stream between it and the

first endpoint, and multiple media streams between it and the second endpoint. However, Applicant can find no mention in Coulombe of multiple media streams in an SIP session. Nor can Applicant find in Coulombe a teaching of a network entity between two communicating endpoints where there is a single media stream between one endpoint and the network entity, and multiple media streams between that entity and the other endpoint. Applicant respectfully requests the 35 USC 102 rejection of claim 7, and claims 8, and 10-12, which depend from and include all the limitations of claim 7, based on Coulombe, be withdrawn.

Regarding claim 10, as argued above, the network entity taught in Coulombe does not act as a user agent client or server. Therefore, Coulombe does not teach “a **user agent server part** that exchanges messages with the first SIP user agent”; “a **user agent client part** that exchanges messages with the second SIP user agent”; or a “session controller that transfers messages from the **user agent server part** to the call router and from the call router to the **user agent client part** to keep track of session states and progress.” Nor does Coulombe teach, as argued above, “a call router that involves the first and second SIP user agents in an **enhanced** SIP session.” Finally, as argued above, since the CSCF and Adaptation Servers simply alter/transcode messages and then pass them on, Coulombe does not teach a “payload router that manages media streams so that the Basic Call Enhancer functions as a **virtual end point** to both the first and second SIP user agents in respect of the media streams.” Applicant respectfully requests the 35 USC 103 rejection of claim 10, based on Coulombe, be withdrawn.

Regarding claims 11 and 12, as argued above, Coulombe does not teach a network entity that acts as a client application for the first endpoint, or as a server application for the second endpoint. Applicant respectfully requests the 35 USC 103 rejection of claims 11 and 12, based on Coulombe, be withdrawn.

Claim 9 depends from and includes all the limitations of claim 7. As argued above, Coulombe does not teach Applicant’s claim 7. Pickett does not appear to address the missing limitations. Therefore, the combination of Coulombe and Pickett does not teach or suggest this

limitation. Applicant respectfully requests the 35 USC 103 rejection of claim 9, based on Coulombe and Pickett, be withdrawn.

Conclusion

Applicants respectfully request reconsideration and allowance of the present application in view of the foregoing arguments. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: Feb. 3, 2009

By: Janet D. Hood  
Janet D. Hood  
Registration No. 61,142  
(407) 736-4234

Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, New Jersey 08830